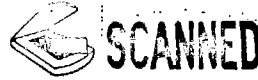


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PAPER: _____
 PROLAW: _____
 OUTLOOK: _____

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7 Attorneys for Defendants SANTA ROSA
 MEMORIAL HOSPITAL and ST. JOSEPH
 HEALTH

8 UNITED STATES DISTRICT COURT OF CALIFORNIA
 9 NORTHERN DISTRICT

11 CYNTHIA GUTIERREZ, JOSE HUERTA,
 SMH, RH and AH,

12 Plaintiffs,

13 v.

14 SANTA ROSA MEMORIAL HOSPITAL,
 15 ST. JOSEPH HEALTH and DOES 1-50,
 inclusive,

16 Defendants.

Case No.: 3:16-CV-02645-SI

**RESPONSE TO REQUEST FOR
 PRODUCTION OF DOCUMENTS,
 SET ONE**

Honorable Susan Illston

19 PROPOUNDING PARTY: PLAINTIFFS CYNTHIA GUTIERREZ, JOSE HUERTA,
 SMH, RH and AH

20 RESPONDING PARTY: DEFENDANTS, SANTA ROSA MEMORIAL
 21 HOSPITAL and ST. JOSEPH HEALTH

22 SET NO.: ONE

GENERAL STATEMENTS AND OBJECTIONS

24 Defendants respond to Plaintiffs' Request for Production (Set One) as follows: The
 25 following responses are given while discovery is in progress and are given without prejudice
 26 to producing at trial subsequently discovered documents or documents omitted from these
 27 responses as a result of mistake, inadvertence, or good faith oversight.

28 ///

1 These responses bear the same number as the request being answered or appear
2 immediately after the request.

3 GENERAL STATEMENTS

4 1. Responding Party has not completed discovery, the investigation of the facts,
5 witnesses, or documents, the analysis of available information, or the preparation for
6 arbitration or trial in this case. Responding Party reserves the right to supplement or amend
7 these responses in the event that any facts, documents or other evidence may be subsequently
8 discovered.

9 2. These responses are made without prejudice to Responding Party's right to
10 introduce facts, documents, witnesses, or other evidence that may be subsequently discovered.

11 3. These responses are made without prejudice to Responding Party's right to
12 supplement or amend these responses in the event that any information previously available to
13 Responding Party may have been omitted by oversight, inadvertence, or good faith error or
14 mistake.

15 4. Except for the facts explicitly stated herein, no incidental or implied admissions
16 are intended.

17 5. Responding Party expressly reserves:

18 5.1 All objections regarding the competency, relevance, materiality, probative value
19 and admissibility of all information provided, documents produced and the
20 contents thereof;

21 5.2 All objections as to vagueness, ambiguity, unintelligibility and overbreadth.

22 6. Nothing herein shall be construed as an admission by Responding Party
23 regarding the admissibility or relevance of any fact or document or of the truth or accuracy of
24 any characterization contained in Propounding Party's discovery requests.

25 7. These responses are signed by counsel only as to the objections set forth in the
26 response. Responding Party specifically claims the attorney-client privilege and/or the
27 attorney-work product privilege as to each and every response set forth herein.

28 8. The fact that part or all of any discovery request has been answered should not

1 be construed to be a waiver of any objection to any discovery request.

2 Responding Party responds to each and every discovery request subject to the
3 foregoing, and each of the foregoing statements and objections are incorporated by reference
4 into each of the following responses:

5 **WRITTEN RESPONSES**

6 **REQUEST FOR PRODUCTION NO. 1:**

7 Any and all "writings" in any way related to this case regarding CYNTHIA
8 GUTIERREZ [as defined in Evidence Code § 250], including, but not limited to any and all
9 paper, electronic, digital, film & otherwise recorded or imaged information.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

11 Objection. Responding party objects to the Request to the extent that it calls for the
12 production of documents protected by the attorney-client privilege and the attorney work-
13 product doctrine. Without waiving said objection, responding party attaches a copy of the
14 medical records pertaining to Cynthia Gutierrez from Santa Rosa Memorial Hospital on a CD
15 attached hereto as Exhibit "A".

16 **REQUEST FOR PRODUCTION NO. 2:**

17 Any and all original records regarding CYNTHIA GUTIERREZ, including but not
18 limited to, medical records and charts, x-rays and x-ray reports, notes, correspondence, billings,
19 memoranda, facsimile and electronic transmission messages and including, but not limited to,
20 any and all WRITINGS, in their native format, regarding the Santa Rosa Memorial Hospital
21 Emergency visit record of CYNTHIA GUTIERREZ on February 25, 2015, including but not
22 limited to: any and all nursing assessments, nurses' notes, triage nursing, laboratory testing,
23 impressions, exit writer, consultations, and discharge instructions.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

25 Responding party produces all documents in its possession from Santa Rosa Memorial
26 Hospital pertaining to Cynthia Gutierrez on a CD attached hereto as Exhibit "A".

27 ///

28 ///

1 Dated: September 9, 2016

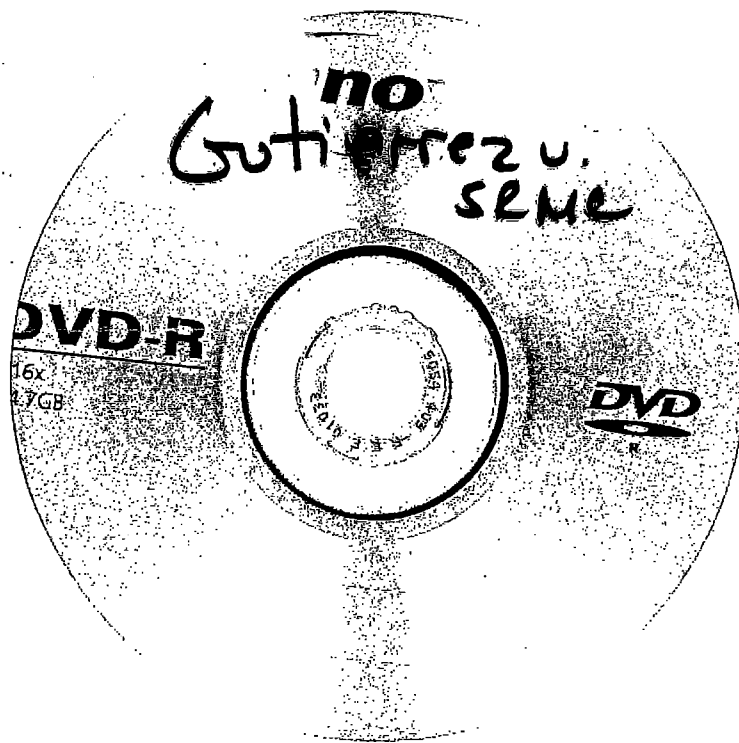
LA FOLLETTE, JOHNSON,
DE HAAS, FESLER & AMES

2
3 By: 

4 BRETT SCHOEL
5 Attorneys for Defendants SANTA ROSA
6 MEMORIAL HOSPITAL and ST.
7 JOSEPH HEALTH

8 **VERIFICATIONS TO FOLLOW**
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EXHIBIT “A”



PROOF OF SERVICE

RE: GUTIERREZ v. SANTA ROSA MEMORIAL HOSPITAL, et al.
 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT CASE NO.
 3:16-CV-02645

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of 18 years and not a party to the within above-entitled action; my business address is 655 University Avenue, Suite 119, Sacramento, California 95825.

I am familiar with this Company's practice whereby the mail, after being placed in a designated area, is given the appropriate postage and is deposited in a U.S. mailbox in the City of Sacramento, California after the close of the day's business.

On the date below I caused to be served the within document entitled:

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE

- ☒ **BY MAIL:** I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Sacramento, California to the offices of the addressee(s) listed below:
- ☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☐ **BY OVERNIGHT DELIVERY:** I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.
- ☐ **BY FACSIMILE:** by transmitting by facsimile to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.


Douglas C. Fladseth
 LAW OFFICES OF DOUGLAS C. FLADSETH
 1160 North Dutton Avenue, Suite 180
 Santa Rosa, CA 94501

707-545-2600
 707-545-0552 Fax

**Attorney for Plaintiffs Cynthia
 Gutierrez, Jose Huerta, SMH,
 RH and AH**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 9, 2016, at Sacramento, California.


 Bonnie Crocker

Re: *Gutierrez v. Santa Rosa Memorial Hospital, et al.*

VERIFICATION

I, the undersigned say:

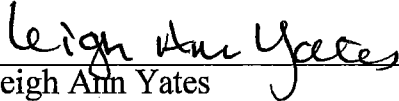
I have read the foregoing **RESPONSE TO REQUEST FOR PRODUCTION, SET ONE.**

☐ I am a party to this action. The matters stated in it are true to my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am the Interim Area Risk Manager and an authorized agent of defendant Santa Rosa Memorial Hospital in this action and make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in it are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of September, 2016, at Orange, California.



Leigh Ann Yates
Interim Area Risk Manager
SANTA ROSA MEMORIAL HOSPITAL